Remarks/Arguments

Claims 15-21 were pending in the application. Claims 15-21 were subject to a restriction requirement. Claims 15 and 16 of Group I were elected with traverse on June 5, 2006. Claims 17-21 were withdrawn. Claims 15-16 are pending in the application. Claims 17-21 were withdrawn. Claim 15 was objected to and no claims were allowed. By the foregoing amendment, claims 15 and 16 have been cancelled, and new claims 22-27 have been added. Support for new claims 22-27 may at least be found at pars. [0078]-[0120] of the specification, and in the specification, claims and drawings as originally filed. No new matter is presented.

Claim Objection

Claim 15 is objected to for reciting the limitation "other paperwork" in line 2. Applicants have amended claim 15 to address the Examiner's objection.

The aforementioned objection is moot in light of Applicants' cancellation of claim 15.

Rejection under 35 U.S.C. §102(b)

The Examiner asserts claims 15 and 16 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S.P.N. 4,280,185 to Martin.

Applicants have cancelled claims 15 and 16, and have introduced new claims 22-27 that reflect the novelty of the inventive subject matter described in Applicants' specification.

Martin teaches the use of a data plate mounted at a convenient location on the module body at col. 1, ll. 18-20. Martin does not teach the use of "a tag" as recited in Applicants' independent claim 22. For at least this reason, Applicants' claims 22-27 are not anticipated by Martin.

In light of the foregoing, Applicants respectfully request the Examiner withdraw the rejection under 35 U.S.C. §102(b) and find claims 22-27 allowable.

Rejection under 35 U.S.C. §102(e)

The Examiner asserts claims 15 and 16 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S.P.N. 6,728,610 to Marshall et al.

Applicants have cancelled claims 15 and 16, and have introduced new claims 22-27 that

reflect the novelty of the inventive subject matter described in Applicants' specification.

Marshall teaches the use of a bar code or a microchip associated with one or more engine components at col. 1, ll. 60-65. Martin does not teach the use of "a tag" as recited in Applicants' independent claim 22 and dependent claims 23-26. For at least this reason, Applicants' claims 22-27 are not anticipated by Martin.

In light of the foregoing, Applicants respectfully request the Examiner withdraw the rejection under 35 U.S.C. §102(b) and find claims 22-27 allowable.

Rejections under 35 U.S.C. §103(a)

The Examiner asserts claims 15 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S.P.N. 4,280,185 to Martin in view of U.S.P.N. 6,671,611 to Peltier.

Applicants have cancelled claims 15 and 16, and have introduced new claims 22-27 that reflect the novelty of the inventive subject matter described in Applicants' specification.

Applicants contends the Martin reference fails to teach, suggest or provide the requisite motivation to adapt its teachings in order to combine with the Peltier reference and teach all of the claim elements recited in Applicants' claims 22-27.

The Examiner's interpretation of Martin presupposes either the optical encoder using fiber-optic waveguides (col. 4, l. 43-col. 6, l. 62) or an electronic encoder that encodes the data plate identification information by changing the conductivity of an electrical current path through the individual columns of the data plate matrix (col. 6, l. 63-col. 8, l. 8) of Martin may plausibly be interpreted to constitute "a tag". Arguably, neither embodiment taught by Martin may be interpreted in any logical manner to read on the claim term "a tag" as recited in Applicants' claims 22-27.

One of ordinary skill in the art would not find the requisite suggestion or motivation to modify the teachings of Martin to incorporate the teachings of Peltier. Martin simply fails to explicitly or even implicitly suggest abandoning either of the aforementioned embodiments and use a paper tag as taught by Peltier. There is no requisite motivation to combine the references and teach all of the claim elements recited in Applicants' claims 22-27.

For at least these reasons, Applicants' claims 22-27 are patentable over the combination of Martin in view of Peltier.

In light of the foregoing, Applicants respectfully request the Examiner withdraw the rejection under 35 U.S.C. §103(a) and find claims 22-27 allowable.

Double Patenting Rejections

The Examiner asserts claims 15 and 16 are provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1 and 15 of copending Application No. 10/064,105 in view of U.S.P.N. 6,728,610 to Marshall et al.

Applicants intend to resolve this double patenting rejection once this rejection is the only rejection remaining between both the present application and the U.S.P.N. 6,728,610.

Conclusion

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any additional fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 21-0279.

Respectfully submitted,

By_____
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Date: December 11, 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on December 11, 2006.

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Ross J. Christie